



Legislative Council Staff *Nonpartisan Services for Colorado's Legislature*

Final Fiscal Note

Drafting Number: LLS 22-0026
Prime Sponsors: Rep. Ransom

Date: June 15, 2022
Bill Status: Deem Postponed Indefinitely
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Bill Topic: **RIGHTS OF PERSONS PROTECTED BY LEGAL GUARDIAN**

**Summary of
Fiscal Impact:**

- | | |
|---|--|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill would have created a workgroup to study issues related to protected persons. The bill would have increased state expenditures in FY 2022-23 only.

**Appropriation
Summary:** For FY 2022-23, the bill would have required an appropriation of \$55,000 to the Office of the Public Guardian.

**Fiscal Note
Status:** The fiscal note reflects the reengrossed bill. This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Table 1
State Fiscal Impacts Under HB 22-1271

		Budget Year FY 2022-23	Out Year FY 2023-24
Revenue		-	-
Expenditures	General Fund	\$55,000	-
Transfers		-	-
Other Budget Impacts	General Fund Reserve	\$8,250	-

Summary of Legislation

This bill requires the Public Guardianship Commission (PGC) to create a workgroup to study issues related to protected persons. The workgroup must study and make recommendations about:

- providing notifications to a protected person's close family under certain circumstances;
- appropriate parameters for visitation of a protected person; and
- development of a care plan for protected persons.

The work group must report its findings and recommendations to the General Assembly by December 1, 2022.

State Expenditures

The bill increases state expenditures in the Office of the Public Guardian (OPG) by an estimated \$55,000 in FY 2022-23 only from the General Fund. The fiscal note assumes the OPG will hire a contractor to facilitate the workgroup, and to develop findings and recommendations that will be reported to the General Assembly. The fiscal note uses House Bill 22-1240 as a proxy for costs, reduced for the bill's timeline.

Other Budget Impacts

General Fund reserve. Under current law, an amount equal to 15 percent of General Fund appropriations must be set aside in the General Fund statutory reserve beginning in FY 2022-23. Based on this fiscal note, the bill is expected to increase the amount of General Fund held in reserve by the amounts shown in Table 1, which will decrease the amount of General Fund available for other purposes.

Technical Note

The bill requires the OPG to conduct a workgroup and provide findings and recommendations to the General Assembly by December 1, 2022. The OPG lacks the staff and resources required to conduct this work, and the fiscal note assumes they will hire a contractor to plan and facilitate meetings, conduct research, and develop findings and recommendations. The OPG will need to post a request for proposals to hire a contractor before the bill's effective date in mid-August or early September, and will have a maximum of three months to conduct this work.

Effective Date

The bill was deemed postponed indefinitely by the House Appropriations Committee on May 12, 2022.

State Appropriations

For FY 2022-23, the bill would have required an appropriation of \$55,000 to the Office of the Public Guardian in the Judicial Department from the General Fund.

State and Local Government Contacts

Counties	Health Care Policy and Financing
Human Services	Judicial
Law	Office of Public Guardianship